

DELTA PROTECTION COMMISSION

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May 9, 1997

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Submittal of City of Stockton Regarding Amendment to the Land Use and Resource Management Plan for the Primary Zone of the Delta to Include Utilities and Infrastructure Policy P-3

Background:

On February 23, 1995, the Delta Protection Commission adopted the Land Use and Resource Management Plan for the Primary Zone of the Delta (Plan). The Delta Protection Act (Act) states that within 180 days of the adoption of the Plan, or any amendments by the Commission, all local governments shall submit to the Commission proposed amendments which will cause their general plans to be consistent with the Act and the Plan (PRC, Section 29763).

On January 23, 1997, the City Council of the City of Stockton adopted a General Plan amendment which states:

Future changes to the City's General Plan and Zoning Code for lands in the City located within the Primary Zone of the Delta, as defined by the Delta Protection Act of 1992, shall be consistent with the goals of and comply with the Land Use and Resource Management Plan for the Primary Zone of the Delta adopted pursuant to Section 29763.5 of the Delta Protection Act of 1992.

On January 23, 1997, the Commission reviewed and concurred with the language of the Stockton General Plan amendment.

On April 4, 1997, at the direction of the Commission, staff sent a letter to the City of Stockton informing the City of the new regulation (Utilities and Infrastructure Policy P-3) which had been amended into the Plan. That regulation states:

New sewage treatment facilities (including storage ponds) and areas for disposal of sewage effluent and sewage sludge shall not be located within the Delta Primary Zone.

[Note: The Rio Vista project, as described in the adopted Final Environmental Impact Report for such project, and the Ironhouse Sanitary District use of Jersey Island for disposal of treated wastewater and biosolids are exempt from this policy.]

Description of Lands within the City Limits:

The lands within the Stockton City Limits which are located in the Primary Zone of the Delta are: the City's existing wastewater treatment plant oxidation ponds of approximately 718 acres, and a 1.9 acre parcel partially developed with a warehouse.

City's of Stockton's Submittal:

The City of Stockton has submitted a letter dated April 25, 1997 (see attached copy) which states that no further general plan amendment is needed to ensure conformance with the Plan; the recent amendment ensures compliance with the Plan as amended.

Staff Analysis:

Staff has reviewed the City's General Plan, as amended, and the City's current letter, and agrees that no further general plan amendment is necessary to ensure compliance with the amendment to the Commission's Plan. If the Commission concurs, staff will so notify the City. If the Commission wants to consider the City's position further, the matter should be set for public hearing.

GARY A. PODESTO
Mayor

VICTOR MOW
Vice Mayor
District 3



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District 4

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District 5

GLORIA C. NOMURA
District 6

April 25, 1997

Delta Protection Commission
14215 River Road
P.O. Box 530
Walnut Grove, CA 95690

**AMENDMENT TO THE LAND USE AND RESOURCE MANAGEMENT PLAN FOR THE
PRIMARY ZONE OF THE DELTA**

In response to your letter of April 4, 1997, concerning the recent amendment to the Land Use and Resource Management Plan for the Primary Zone of the Delta (Delta Plan), the City of Stockton believes it addressed this issue, and others, when the City amended its General Plan earlier this year. The amendment, which was intended to ensure that the City was in compliance with the Delta Plan, stated:

Future changes to the City's General Plan and Zoning Code for lands in the City located within the Primary Zone of the Delta, as defined by the Delta Protection Act of 1992, shall be consistent with the goals of and comply with the Land Use and Resource Management Plan for the Primary Zone of the Delta adopted pursuant to Section 29763.5 of the Delta Protection Act of 1992.

It is our understanding that this new legislation in no way affects the City's existing wastewater oxidation ponds, any changes or modifications to the operation of the City's Regional Wastewater Control Facilities that may be contemplated in the future, or any additions to the ponds pursuant to Section 29723 (b)(11) of the Delta Protection Act of 1992 which specifically exempts:

The planning, approval, construction, repair, replacement, alteration, reconstruction, operation, maintenance, or removal of oxidation and water treatment facilities owned by the City of Stockton or. . . .

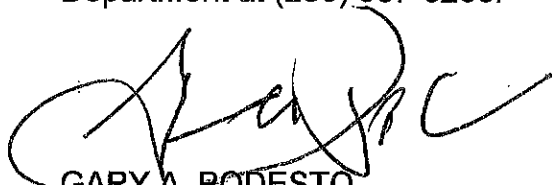
Delta Protection Commission

April 25, 1997

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In addition, the City presently does not land apply biosolids in the Delta Primary Zone.

I hope this letter addresses the State's recent requirement and assures the Commission that the City is in compliance with State requirements. If you have any further questions, please contact Senior Planner Dianne Keil Smith of the Community Development Department at (209) 937-8266.

A handwritten signature in black ink, appearing to read 'Gary A. Podesto', is written over the printed name and title.

GARY A. PODESTO
MAYOR

GAP:gp

cc: City Council

emc: City Manager
Community Development Director

S:\WPWIN61\PODESTO\DPC.LTR

MAP OF ZONES

SACRAMENTO-SAN JOAQUIN DELTA

